

LAW OFFICES

MANOLIO & FIRESTONE, PLC

8686 E. San Alberto Dr., Suite 200

Scottsdale, Arizona 85258

(480) 222-9100

vmanolio@mf-firm.com

Veronica L. Manolio, SBN 020230

Attorneys for Tucker Defendants, Counterclaimants,

And Third-Party Claimants

IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF ARIZONA

Labor Smart, Inc.

Plaintiff,

v.

Jason and Melissa Tucker,

Defendants.

And related Counterclaims
and Third-Party Claims.

Case No. 2:22-cv-00357-PHX-JJT

**APPLICATION FOR
SUBSTITUTION OF COUNSEL,
WITH CLIENT CONSENT**

(Before the Hon. D. Humetewa)

Pursuant to L.R.Civ. 83.3(b)(1), Third-Party Claimants Jason and Melissa Tucker request to substitute Spencer Freeman, Washington State Bar No. 25069¹, as counsel of record for their Third-Party Claims against Joseph Pavlik (“Pavlik”) in place of current counsel, Veronica L. Manolio. This request for substitution is made because counsel for Pavlik raised an issue of conflict by Ms. Manolio continuing representation when she previously represented Pavlik. Although there has been motion practice, and the current Report and Recommendation from U.S. Magistrate Judge Allson Bachus is that no conflict of interest exists (*see*, Doc. 209 at pp. 15-19), the Tuckers voluntarily agree to have replacement counsel prosecute the claims against Pavlik to avoid even a *doubt* about ongoing conflict arguments. The Tuckers made this decision to focus on the merits of the case rather than inviting additional procedural fights.

¹ Mr. Freeman has already been admitted *pro hac vice*.

1 The Tuckers have already hired Mr. Freeman as independent counsel for certain
2 claims, and he has agreed to pursue Pavlik as well.

3 Because this Application bears client consent, it is filed *ex parte*. The Tuckers'
4 contact information remains unchanged, and Ms. Manolio will continue to act as lead
5 counsel for the Tuckers.

6 I consent to the above substitution of Mr. Freeman in place of Ms. Manolio as to
7 the Third-Party Claims against Takeover.

8
9 Signature Page Following
10 Jason Tucker

Date: _____

11
12 Signature Page Following
13 Melissa Tucker

Date: _____

14 I consent to substitution to represent the Tuckers in prosecuting the Third-Party
15 Claims against Takeover.

16
17 Signature Page Following
18 Spencer D. Freeman

Date: _____

19
20 RESPECTFULLY SUBMITTED this 22nd day of April, 2025.

21 **MANOLIO & FIRESTONE, PLC**

22 By: /s/ Veronica L. Manolio
23 Veronica L. Manolio
24 8686 E. San Alberto Dr., Suite 200
25 Scottsdale, Arizona 85258
26 *Attorneys for the Tucker Defendants,*
Counterclaimants, and Third-Party Claimants

AO 154 (10/03) Substitution of Attorney

UNITED STATES DISTRICT COURT

District of ARIZONA

Labor Smart Incorporated

Plaintiff (s),

V.

Tucker et al

Defendant (s),

CONSENT ORDER GRANTING
SUBSTITUTION OF ATTORNEY

CASE NUMBER: 2:22-cv-00357-DJH

Notice is hereby given that, subject to approval by the court, Jason and Melissa Tucker substitutes
(Party (s) Name)

Spencer D Freeman, Pro Hac Vice, State Bar No. WA 25069 as counsel of record in
(Name of New Attorney)

place of Veronica L Manolio
(Name of Attorney (s) Withdrawing Appearance)

Contact information for new counsel is as follows:

Firm Name: Freeman Law Firm Incorporated

Address: 1107 1/2 Tacoma Ave S., Tacoma, WA 98402

Telephone: (253) 383-4500 Facsimile (253) 383-4501

E-Mail (Optional): sfreeman@freemanlawfirm.org

I consent to the above substitution.

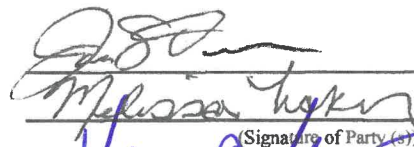
Date: 4/22/2025

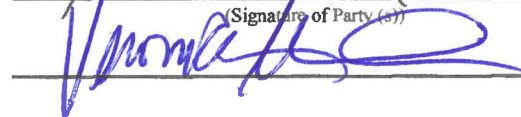
I consent to being substituted.

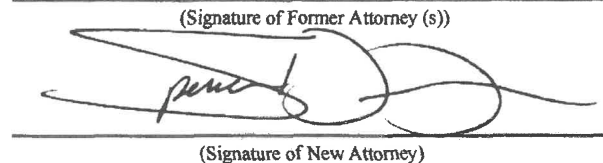
Date: 4/22/2025

I consent to the above substitution.

Date: April 22, 2025


(Signature of Party (s))


(Signature of Former Attorney (s))


(Signature of New Attorney)

The substitution of attorney is hereby approved and so ORDERED.

Date: _____

Judge

[Note: A separate consent order of substitution must be filed by each new attorney wishing to enter an appearance.]